



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

## DIVISION OF PROCUREMENT SERVICES

STATE OF MAINE

**PROCUREMENT JUSTIFICATION FORM (PJF)**

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Division of Procurement Services.

*INSTRUCTIONS: Please provide the requested information in the white spaces below. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Division of Procurement Services intranet site (Form's page) for additional instructions.*

PART I: OVERVIEW					
Department Office/Division/Program:		DHHS/Maine CDC			
Department Contract Administrator or Grant Coordinator:		Chris Moiles			
(If applicable) Department Reference #:		CD0-23-54CAP37			
Amount: (Contract/Amendment/Grant)		<b>\$80,440.28</b>	Advantage CT / RQS #:		RQS 10A 20220517*1356
CONTRACT	Proposed Start Date:	7/1/2022	Proposed End Date:	9/30/2022	
AMENDMENT	Original Start Date:		Effective Date:		
	Previous End Date:		New End Date:		
GRANT	Project Start Date:		Grant Start Date:		
	Project End Date:		Grant End Date:		
Vendor/Provider/Grantee Name, City, State:		Agilent Technologies Chicago, IL			
Brief Description of Goods/Services/Grant:		Purchase of new Agilent 8890 Gas-Chromatography (GC) Instrument with OpenLab Chemstation PC Bundle for analysis of EPA 552.3, Haloacetic Acids/Disinfectant Biproducts, and 515.4, Herbicides, in drinking water.			

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Check the box below for the justification(s) that applies to this request. (Check all that apply.)			
<input type="checkbox"/>	A. Competitive Process	<input type="checkbox"/>	G. Grant
<input type="checkbox"/>	B. Amendment	<input type="checkbox"/>	H. State Statute/Agency Directed
<input checked="" type="checkbox"/>	C. Single Source/Unique Vendor	<input type="checkbox"/>	I. Federal Agency Directed
<input type="checkbox"/>	D. Proprietary/Copyright/Patents	<input type="checkbox"/>	J. Willing and Qualified
<input type="checkbox"/>	E. Emergency	<input type="checkbox"/>	K. Client Choice
<input type="checkbox"/>	F. University Cooperative Project	<input type="checkbox"/>	L. Other Authorization

Please respond to ALL of the questions in the following sections.

**PART III: SUPPLEMENTAL INFORMATION**

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

The "Environmental Organics" department at the Maine Health and Environmental Testing Laboratory (HETL) provides testing of Haloacetic Acids/Disinfectant Biproducts (EPA Method 552.3) and Herbicides (EPA Method 515.4) in drinking water sources in accordance with regulatory accreditation programs including: State and Federal Safe Drinking Water Act (SDWA), Maine Laboratory Accreditation Program (MLAP), Department of Environmental Protection (DEP), and United States Environmental Protection Agency (US EPA). Haloacetic acids (HAAs) are a common undesirable by-product of drinking water chlorination. Therefore, its critical to the safety and health of Maine citizens to ensure water systems do not contaminate drinking water with biproducts produced during the treatment processes and meet required limits of safe drinking water.

Currently, the laboratory has an Agilent 6890 GC instrument that is reaching the ends of its lifespan. This current GC is over 20 years old and will soon be deemed inoperable as demonstrated by the required constant care and maintenance on the hardware and software. This instrument causes limitations in the number of samples, sensitivity, and accuracy and precision of results provided to customers as it ages. The upgrade and purchase of a new 8860 GC instrument with OpenLab Chemstation PC Bundle will increase sensitivity and reliability of analytical testing in drinking water samples for haloacetic acids/disinfectant biproducts and herbicides and aid water treatment facilities in providing clean drinking water.

2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.

Electron Capture Detector (ECD) is technology that is limited to a select few vendors. Maine HETL evaluated three (3) vendors, Agilent, Scion, and ThermoFisher, based on the following criteria below:

1. ECD capabilities equivalent to current system and License
2. User friendly software and upgrades
3. Sensitivity of 0.25 µg/L or better
4. Dual Column GC and Multiple Injector Autosampler
5. Service contract available for PM and on-site maintenance, as well as remote assistance
6. Customer Service and Installation Services
7. Availability of OEM parts
8. Reasonable pricing
9. Historical or Relevant Discounts or Relationships with Vendors

Agilent was selected for purchase of new 8890 GC Instrument with OpenLab Chemstation PC Bundle.

Scion was immediately excluded due to the lack of response provided by the company even after multiple attempts were made via email or phone to acquire a quote.

Both Agilent and ThermoFisher systems provide emergency onsite service, an annual preventive maintenance, specific licensing required for ECD, remote service for instrumentation, and training with installation of new instrumentation for staff. Additionally, both systems provide the sensitivity, dual column and injection capabilities, and high sample volume capabilities necessary for analysis. Agilent additionally offers as part of the purchase, online courses at no cost to staff to advance their educational opportunities and a one (1) year warranty.

HETL has experienced excellent historical reliability and service with Agilent. Further, Agilent instrumentation reduces downtime and disruptions in analyses by providing expert staff to complete repairs

**PART III: SUPPLEMENTAL INFORMATION**

and/or maintenance in a rapid response. HETL has purchased many Agilent instruments over the years and Agilent has proven to be reliable and robust, performing over 20 years of analytical testing.

HETL currently analyzes samples utilizing an Agilent 6890 GC, therefore analysts are already familiar with the software, hardware, and troubleshooting of the Agilent instrument. With the current limited staffing, HETL will be able to complete the validations required for accreditation and be operational within 2-3 months. Whereas, with the ThermoFisher instrument, it would take an additional 4-6 months to have the staff learn the new instrumentation and to complete the revalidations to meet accreditation requirements. Further, additional costs would be incurred for subcontracting of samples during the revalidation timeframe.

ThermoFisher did provide a much lower price with a 2-year warranty and on-site service within 3 days, however HETL's historical experience with ThermoFisher instrumentation and customer service has been negative. HETL currently has one ThermoFisher Dionex system, where the system has had multiple repairs since installation, which has resulted in repeated, prolonged downtime. Also, ThermoFisher prioritizes remote assistance over providing on-site repair. Often, HETL has required on-site repair to bring systems back online for analysis. This same system contains "CHROMELEON" software which is not user friendly and repeatedly fails. This software encrypts data rendering it unusable and unavailable to backup and per accreditation requirements, HETL is required to back up data on a set schedule and maintain for 5 years. Currently, HETL is maintaining records by paper due to this circumstance and as HETL moves to a new lab with limited space, paper documentation will need to move electronically.

**3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.**

HETL finds Agilent's costs to be reasonable, fair, and competitive in the current market compared to other vendors. Agilent provides excellent and reliable customer service, offers skilled technicians to complete repair and maintenance of instrumentation on-site and remotely, and delivers a uniquely designed instrument with vast analysis capabilities, sensitivity, and longevity in combination with user friendly software. The familiarity of analysts with Agilent instrumentation and software eliminates the cost of downtime in analyses and reduces the delay in maximizing operational needs during the current required high demand for drinking water testing. Short-term the costs of instrumentation may be higher, but it has been determined this purchase will save HETL more on long-term costs.

Further, Agilent provides discounts on services with multiple Agilent instruments of which the "Organics Department" already has at least six (6) Agilent instruments. Purchasing Agilent instrument provides operational efficiency in having all instruments serviced at the same time, on one contract, with discounted pricing. Long-term this saves HETL on travel costs and frequent visits that may be required with multiple vendor instruments.

**4. Describe the plan for future competition for the goods or services.**

This type of equipment purchase is quite rare, and another purchase of the magnitude is not anticipated for several years.

When it is necessary to purchase an item of this nature in the future, for each procurement, market research will be completed to find applicable vendors that can provide services, instrumentation, or equipment to meet the laboratory's needs and established regulatory/accreditation requirements.

Where sole source is not applicable, a minimum of three quotes from three qualified vendors is requested. Each vendor and quote is evaluated based on established criteria to determine selection of one vendor to

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provide such services, instrumentation, or equipment. The established criteria utilized to complete vendor selection is detailed in the PJF Section 2.

**PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS & RECOVERY PLAN (MJRP)**

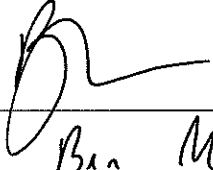

Does this request utilize ARPA/MJRP funds?

☐ Yes – If Yes, please attach the approved Business Case(s).

☒ No – If No, proceed to Part V.

**PART V: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Ben Munro	Date:	6/22/22
Signature of DAFS Procurement Official:			
Typed Name:	Joseph Zrioka	Date:	6/30/2022